

**H.R. 2944**  
**AMENDMENTS TO AMENDMENT IN THE NATURE**  
**OF A SUBSTITUTE**  
**OFFERED BY MRS. WILSON**

Page 11, after line 23, insert the following:

1       (f) FEDERAL FACILITIES.—(1) Section 201 of the  
2 Federal Power Act is amended by adding at the end the  
3 following:

4       “(h) Nothing in this Act preempts the application of  
5 State utility laws with respect to the retail sale of electric  
6 energy to or the provision of local distribution service to  
7 a facility of a department, agency, or instrumentality of  
8 the United States.”.

9       (2) Section 201(d) of the Federal Power Act is  
10 amended by adding the following immediately before the  
11 period at the end thereof: “; provided, however, that noth-  
12 ing in this section shall be construed as providing jurisdic-  
13 tion to the Commission pursuant to this Act under cir-  
14 cumstances where any department, agency, or instrumen-  
15 tality of the United States received electric service as of  
16 July 1, 1999, which service was priced pursuant to retail  
17 tariffs approved in accordance with State law by a State  
18 regulatory agency.”.

1       (3) Section 212(h) of the Federal Power Act is  
2 amended by adding the following new sentence at the end  
3 thereof: "Nothing in this subsection and no order issued  
4 under this Act shall require the transmission of electric  
5 energy to any Federal department, agency, or instrumen-  
6 tality that purchases electric energy in a manner incon-  
7 sistent with State law governing the provision of electric  
8 utility service, including State utility commission rulings  
9 and electric utility franchises, certificates, or service terri-  
10 tories established pursuant to State statute, State regula-  
11 tion, or State-approved territorial agreements."

12       (4) Section 3(19) of the Federal Power Act is amend-  
13 ed by adding the following immediately before the period:  
14 " , but shall not include any department, agency, or instru-  
15 mentality that purchases electric energy from any electric  
16 utility for consumption or distribution or for both con-  
17 sumption and distribution within the boundaries where  
18 such department, agency, or instrumentality owns, oper-  
19 ates, or controls facilities for such consumption or dis-  
20 tribution."